

Lieutenant Governor

Department of Human Services

TRACY S. GRUBER Executive Director

NATE CHECKETTS

Deputy Director

DAVID LITVACK

Deputy Director

Date: August 24, 2021

To: Nate Winters, DHS Assistant Deputy Director

From: Curt Williams, Financial Analyst III, DHS Office of Fiscal Operations

RE: Canyonlands – Walk-in Cooler Repair. Emergency Procurement using Small Purchasing Rule

Please see the attached information regarding \$675.00 for emergency repairs by <u>Action Air</u> to the walk-in cooler at Canyonlands Youth Center.

On July 23, 2021, Bureau of Finance was notified by Gary Bayles of an emergency with the walk-in cooler at Canyonlands not maintaining adequate temperature for cold food storage. The invoice for the repair was emailed August 20, 2021. Using Small Purchasing Rule for procurement without utilizing contracted vendor on basis this was an emergency. The holder of the emergency procurement LPD would need to make the determination this circumstance is an emergency.

See attached Utah Code: Small purchases.63G-6a-506(4-5)

Attachments:

- Email notification and justification for vendor choice.
- Invoices for walk-in repair
- Utah Code: Small purchases.63G-6a-506(4-5)

Approval of this Emergency Small Purchase

Nate Winters (Aug 24, 2021 17:19 MDT)

Nate Winters, DHS Assistant Deputy Director

On behalf of Department Executive Director's Office



Canyonlands walk in cooler repair

Harsha Naveen DHS <nnaveen@utah.gov>
To: "Curt Williams (DHS)" <chwilliams@utah.gov>

Fri, Aug 20, 2021 at 4:16 PM

Hello Curt,

Here is the invoice for the emergency walk in cooler repair at Canyonlands Youth Center that we reported on 7/23/21. Please confirm if we can pay this invoice as a regular payment.

Thank you, Harsha Naveen Administrative Services Manager 385-348-1006 haveen@utah.gov human services





Emergency repair to cooler

Fri, Jul 23, 2021 at 10:50 AM

Gary Bayles (DHS) <gdbayles@utah.gov>
Fri
Reply-To: dhsfinance@utah.gov
To: DHSFINANCE <dhsfinance@utah.gov>, "Daphanie Meyers (DHS)" <dmeyers@utah.gov>
To: DHSFINANCE <dhsfinance@utah.gov>, "Daphanie Meyers (DHS)" <dmeyers@utah.gov>

The walk-in cooler was not cooling needed to have it fixed ASAP to prevent loss of everything in it so I called Mike of Action Air. He came right over and found the problem a leak in the gas and fixed the leak and added more gas. Got working again, cost of repair is \$675.00.

-GARY BAYLES CANYONLANDS YOUTH CENTER 244 West 1600 South Blanding Ut. 84511 gdbayles@utah.gov (435) 678-3140 ext. 206



State of Utah

Department of Human Services
Division of Juvenile Justice Services

PURCHASE ORDER

Canyonlands 244 Ruin Road Blanding, UT 84511-3908

435-678-3079

Purcha	se Order#	9301	- 07/23/	21 - 10:37	- GB			mber (UNIT-DATE- dence, shipping pa		
	P.O. DATE	E PURCHASED FOR:				NOT TO EXCEED THE DOLLAR AMOUNT OF:				
	7/23/2021		M	AINTENANCE			\$	675.00		
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#N/A #N/A #N/A #N/A			### #N/A							
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	Please remember to add applicable shipping charges NO SALES TAX WILL BE PAID - Form TC-721G upon request							TOTAL	\$	675.00
Х										
	Requested by (Print Name)						Date			

<u>Justification For Not Purchasing On State Contract</u>

THIS FORM IS REQUIRED FOR ALL NON CONTRACT PURCHASES

Minimum quantity exceeds our needs.	Contract Number:
Contract minimum order is:	Our order is for only:
Did you contact Vendor and ask if they will make an exception?	Circle one: YES NO
Minimum quantity exceeds our storage capacity.	Contract Number:
Contract minimum order is:	Our order is for only:
Did you contact Vendor and ask if they will make an exception?	Circle one: YES NO
Minimum packaging exceeds our needs.	Contract Number:
Contract minimum package is:	Our package needs are:
Did you contact Vendor and ask if they will make an exception?	Circle one: YES NO
Unable to meet our delivery schedule.	Contract Number:
Number of days required for delivery - as stated on contract:	8
We need item by: Vendor can de	liver on:
Did you contact the vendor and ask if item was in stock? If NO, please call vendor and ask.	Circle one: YES NO
Can the Vendor meet your delivery date? If YES, purchase from contract. If NO, get in writing.	Circle one: YES NO
Have you contacted another multi-award vendor with the same question	ons? Circle one: YES NO Contract #
If multiple vendors cannot meet your delivery date, okay to buy from an You are required to plan ahead to allow for delivery. Contact SSC if not delivery.	nother source.
Contract items do not meet our specifications of quality. This checkbox requires written PRE-AUTHORIZATION from State Purchasin Please contact your SSC prior to ordering to obtain approval for you.	Contract Number:
X This was an emergency purchase, meeting one of the following	g criteria (check one):
X Item(s) is/are for an immediate repair to a facility or equipment.	
	Explain: walk in cooler was getting warm not working
needed it fixed ASAP to prevent loss of all the food in it	waik in cooler was getting warm not working
If using the option, you MUST ATTACH a written documentation describing the emercusing as much competition as possible. Please also describe how the emergency cinwelfare, safety or property. CONTACT YOUR SSC WITH THIS INFORMATION IMM	cumstance created harm, or risk of harm, to public health,
There is not a contract for this/these item(s). Exlain in detail below what you are purchasing and what co	ontracts you looked at first.
	

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Effective 7/1/2021 63G-6a-506 Small purchases.

- (1) As used in this section:
 - (a) "Annual cumulative threshold" means the maximum total annual amount, established by the rulemaking authority under Subsection (2), that a procurement unit may expend to obtain procurement items from the same source under this section.
 - (b) "Individual procurement threshold" means the maximum amount, established by the rulemaking authority under Subsection (2), for which a procurement unit may purchase a procurement item under this section.
 - (c) "Single procurement aggregate threshold" means the maximum total amount, established by the rulemaking authority under Subsection (2), that a procurement unit may expend to obtain multiple procurement items from one source at one time under this section.

(2)

- (a) The rulemaking authority may make rules governing small purchases of any procurement item, including construction, job order contracting, design professional services, other professional services, information technology, and goods.
- (b) Rules under Subsection (2)(a) may include provisions:
 - (i) establishing expenditure thresholds, including:
 - (A) an annual cumulative threshold:
 - (B) an individual procurement threshold; and
 - (C) a single procurement aggregate threshold;
 - (ii) establishing procurement requirements relating to the thresholds described in Subsection (2) (b)(i); and
 - (iii) providing for the use of electronic, telephone, or written quotes.
- (c) If a procurement unit obtains administrative law judge service through a small purchase standard procurement process, rules made under Subsection (2)(a) shall provide that the process for the procurement of administrative law judge service include an evaluation committee described in Subsection 63G-6a-116(3).
- (3) Expenditures made under this section by a procurement unit may not exceed a threshold established by the rulemaking authority, unless the procurement official gives written authorization to exceed the threshold that includes the reasons for exceeding the threshold.
- (4) Except as provided in Subsection (5), an executive branch procurement unit may not obtain a procurement item through a small purchase standard procurement process if the procurement item may be obtained through a state cooperative contract or a contract awarded by the chief procurement officer under Subsection 63G-6a-2105(1).
- (5) Subsection (4) does not apply if:
 - (a) the procurement item is obtained for an unanticipated, urgent, or emergency condition, including:
 - (i) an item needed to avoid stopping a public construction project;
 - (ii) an immediate repair to a facility or equipment; or
 - (iii) another emergency condition; or
 - (b) the chief procurement officer or the procurement official of a procurement unit that is an executive branch procurement unit with independent procurement authority:
 - (i) determines in writing that it is in the best interest of the procurement unit to obtain an individual procurement item outside of the state contract, comparing:
 - (A) the contract terms and conditions applicable to the procurement item under the state contract with the contract terms and conditions applicable to the procurement item if the procurement item is obtained outside of the state contract;